

Message Text

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ACTION EUR-12

INFO OCT-01 IO-14 ISO-00 AGR-05 AID-05 CEA-01 CIAE-00
COME-00 EB-08 FRB-01 INR-10 NSAE-00 SP-02 STR-07
TRSE-00 LAB-04 SIL-01 OMB-01 /072 W
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R 191547Z JUN 78
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC 7365
INFO ALL EC CAPITALS
USMISSION GENEVA

UNCLAS BRUSSELS 12068

USEEC

PASS AGRICULTURE ELECTRONICALLY
PARIS ALSO FOR USOECD
GENEVA ALSO FOR USMTN

E.O. 11652: N/A
TAGS: EAGR, EEC
SUBJ: THREE KILOGRAM LIMITATION ON EC FRESH MEAT IMPORTS

REF: HAGUE TOFAS 435

1. ARTICLE 6 OF THE 1964 EC DIRECTIVE ON HEALTH PROBLEMS
AFFECTING INTRA-COMMUNITY TRADE IN FRESH MEAT (64/433)
ALLOWS MEMBER STATES TO MAINTAIN NATIONAL PROVISIONS WHICH
PROHIBIT OR RESTRICT THE INTRODUCTION INTO THEIR TERRITORY
OF MINCED MEAT OR FRESH MEAT AND CUTS WEIGHING LESS THAN 3 KGS.
(EXCEPT WHOLE FILETS OF BEEF AND WHOLE SHOULDERS OF PORK ON
THE BONE). WHILE THE THIRD COUNTRY MEAT DIRECTIVE (72/462)
POSES NO SUCH LIMITATION FOR IMPORTS FROM THIRD COUNTRIES,
MEMBER STATES APPLYING THIS RESTRICTION TO INTRA-COMMUNITY
TRADE MUST APPLY THE SAME RESTRICTION TO IMPORTS FROM THIRD
COUNTRIES. A PARTICULAR MEMBER STATE MAY, HOWEVER, CHOOSE
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NOT TO IMPOSE THIS RESTRICTION FOR IMPORTS INTO ITS OWN
TERRITORY.

2. AS POINTED OUT IN THE REFTTEL, THE PROHIBITION ON IM-
PORTS OF MEAT CUTS UNDER 3 KILOS HINDERS US SALES OF PORTION
CONTROL MEATS TO NETHERLANDS. AN OFFICIAL IN COMMISSION'S
VETERINARY DIVISION TOLD US THAT THE NUMBER OF COMPLAINTS

CONCERNING THE RESTRICTION IMPOSED BY VARIOUS MEMBER STATES ON CUTS OF FRESH MEAT WEIGHING 3 KGS. OR LESS HAVE INCREASED IN RECENT MONTHS. OFFICIAL FURTHER NOTED THAT THERE SEEMED

TO BE NO BASIS FOR THE 3 KG. LIMITATION FROM A VETERINARY-HEALTH STANDPOINT.

3. THE COMMISSION OFFICIAL SAID THAT THE COMMISSION IS CURRENTLY WORKING ON A DRAFT WHICH WOULD MAKE THE INTRA-COMMUNITY DIRECTIVE APPLICABLE TO MINCED MEAT. COMPLETION OF A WORKABLE PROPOSAL FOR MINCED MEAT, INCLUDING A DEFINITION CLEARLY DISTINGUISHING MINCED MEAT FROM OTHER SMALL PIECES OF MEAT WOULD PROVIDE A BASIS FOR DRAFTING REGULATIONS GOVERNING SMALL CUTS OF MEAT UNDER 3 KGS. WHICH WOULD ELIMINATE MEMBER STATE BARRIERS TO TRADE. HOWEVER, HE DID NOT EXPECT A DRAFT COVERING IMPORTS OF MEAT OF LESS THAN 3 KGS (EXCLUDING MINCED MEAT) TO BE READY BEFORE THE END OF THIS YEAR.

4. WHILE COMMISSION IS ALREADY AWARE OF 3 KG. LIMITATION PROBLEM AND PRESUMABLY WILL ATTEMPT TO RECTIFY SITUATION WITH NEW REGULATIONS IN FUTURE, COMMISSION FEELS IT WOULD BE HELPFUL IN TERMS OF SPEEDING UP THE PROCESS IF U.S. FORMALLY MADE KNOWN ITS CONCERN OVER THIS RESTRICTION. THEREFORE, WE REQUEST TECHNICAL BACKGROUND NECESSARY TO MAKE THE ARGUMENT THAT THIS LIMITATION DOES NOT HAVE A UNCLASSIFIED

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VALID VETERINARY BASIS. ALSO, WE WOULD LIKE TO KNOW IF THIS RESTRICTION POSES A PROBLEM FOR US EXPORTS FOR OTHER MEMBER STATES BESIDES THE NETHERLANDS. WHERE THIS IS THE CASE, MEMBER STATE POSTS MAY WISH TO MAKE SEPARATE REPRESENTATION URGING MEMBER STATES TO INDEPENDENTLY ELIMINATE THIS RESTRICTION. AS NOTED IN PARA. 1, EC DOES NOT REQUIRE MEMBER STATES TO MAINTAIN THIS RESTRICTION. MORRIS

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